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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,131	12/28/2000	Zhihong Wang	21046.P001	1783

7590 07/15/2004

Serial Systems Ltd
c/o Lawrence Y. D. Ho & Associates Pte Ltd
30 Bideford Road
10/02 Thingsia Building
Singapore, 229922
SINGAPORE

EXAMINER	
VENT, JAMIE J	

ART UNIT	PAPER NUMBER
2616	9

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/753,131	WANG ET AL.	
	Examiner	Art Unit	
	Jamie Vent	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 December 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

- Page 9 line 25 references to *Figure 3, MCU 76* does not correspond to appropriate figure.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being unpatentable Heo (US 6,22,983).

[claims 1 & 2]

In regard to Claims 1 and 2, Heo discloses a method and system for capturing and recording audio and video signals in real time with a system comprising:

- At least one video decoding means for receiving video signals (Figure 29 audio/video decoder 315 which receives video signals via the data receiver 314);
- At least one video encoding means coupled to the video decoding means for receiving therefrom said video signals, said video signals being encoded into a predetermined format (Figure 29 video output 318 encodes the video signal into a predetermined format as further described in Column 26 Lines 1-27);

- At least one audio converting means for receiving audio signals (Figure 29 shows the pickup device 312 for receiving signal which is then converted);
- At least one signal processing means coupled to the video encoding means and audio converting means for receiving video signals and audio signals (Figure 29 servo-controller 313 controls the receiving and signal processing of the audio and video signals);
- At least one controller means coupled to the signal processing means for receiving therefrom composite audio and video signals, said controller further receiving audio and video signals (Figure 29 system controller 311 is coupled to the video encoding and audio converting means for processing and control of each component);
- At least one optical recording means coupled to said signal processing means and said controller means for receiving and recording said composite audio and video signals on optical storage media, said optical recording means communicating with said signal processing means over said controller (Figure 29 shows the output of video and audio signals which will thereby be sent for recording onto the optical disc); and
- Whereby the system record audio and video signals in real time without a host processor and memory overhead (Figure 29 shows the output of video and audio signals which is recorded onto an optical disc without the use of a host processor or memory present as further seen in Figure 29).

[claim 3]

In regard to Claim 3, Heo discloses a method for coordinating the transmission and recording of compressed audio and video data on optical storage media comprising the system and methods as disclosed in claims 1 and 2, with the additional limitations of a method comprising:

- Preparing said audio optical recording means for recording by requesting with said controller means for synchronization signal and configuring said audio encoding means and video encoding means with said controller means by inserting variable link and pregap length front and back margins in formatting (Column 24 Lines 60-67 describes the preparation of the audio recording with synchronization signal and configurations of inserting various lengths within the data in order to format the signal);
- Monitoring said audio optical recording means with said controller means for the return of said synchronization signal before activating the recording function of said optical recording means after a first predetermined delay and releasing said audio encoding means and said video encoding means to transfer compressed audio and video data to the audio optical recording means after a second predetermined delay (Column 26 Lines 28-59 describes the monitoring of the signal as well as releasing and transferring of the data when the synchronization signal is present); and
- Whereby said method actualizes recording of compressed audio and video data on optical storage media with an audio optical recording means without memory overhead and synchronization of data transfer being controlled intelligently by the adjustment of variable link and pregap length in MPEG tracks (Column 26 Lines

In regard to Claim 3, Heo discloses a method for coordinating the transmission and recording of compressed audio and video data on optical storage media comprising the system and methods as disclosed in claims 1 and 2, with the additional limitations of a method comprising:

- Preparing said audio optical recording means for recording by requesting with said controller means for synchronization signal and configuring said audio encoding means and video encoding means with said controller means by inserting variable link and pregap length front and back margins in formatting (Column 24 Lines 60-67 describes the preparation of the audio recording with synchronization signal and configurations of inserting various lengths within the data in order to format the signal);
- Monitoring said audio optical recording means with said controller means for the return of said synchronization signal before activating the recording function of said optical recording means after a first predetermined delay and releasing said audio encoding means and said video encoding means to transfer compressed audio and video data to the audio optical recording means after a second predetermined delay (Column 26 Lines 28-59 describes the monitoring of the signal as well as releasing and transferring of the data when the synchronization signal is present); and
- Whereby said method actualizes recording of compressed audio and video data on optical storage media with an audio optical recording means without memory overhead and synchronization of data transfer being controlled intelligently by the adjustment of variable link and pregap length in MPEG tracks (Column 26 Lines

47-52 describes the recording of compressed audio and video data in which synchronization data is being controlled by the adjustment of the MPEG tracks).

Conclusion

The prior art made of record and not relied upon are considered pertinent to applicant's disclosure. The following is considered of significant interest to the application:

- Okada et al (US 6,665,491) and Wactlar et al (US 5,835,667).

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

Or faxed to:
703.208.6306 (for formal communication intended for entry)
703.308.5359 (for informal or draft communications, please label "PROPOSED" or "DRAFT")
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie J. Vent whose telephone number is (703) 305-0378.

If any attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Christopher Kelley, can be reached at (703) 305-4856.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Miss Jamie Vent
07/06/2004

CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600